

AMENDED IN ASSEMBLY MAY 1, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2311

Introduced by Assembly Member Mountjoy

February 22, 2006

An act to ~~add Section 51556 to~~ amend Section 51530 of the Education Code, relating to ~~education~~ instruction.

LEGISLATIVE COUNSEL’S DIGEST

AB 2311, as amended, Mountjoy. ~~Education.~~ *Instruction: prohibition: homosexuality.*

Existing law prohibits a teacher from advocating or teaching communism, as defined, in any school or on any property belonging to any agency included within the public school system.

This bill would also prohibit the teaching or advocacy of socialism, humanism, or homosexuality, as defined.

~~Existing law prohibits the administration, as specified, of a test, questionnaire, survey, or examination that contains any questions about a pupil’s personal beliefs or practices in sex, family life, morality, and religion, or any questions about the pupil’s parents’ or guardians’ beliefs and practices in those areas unless the pupil’s parent or guardian gives written permission.~~

~~This bill would prohibit the promotion of homosexuality in public education.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 51530 of the Education Code is*
2 *amended to read:*

3 51530. No teacher giving instruction in any school, or on any
4 property belonging to any agencies included ~~in~~ *within* the public
5 school system, shall advocate or teach communism, *socialism,*
6 *humanism, or homosexuality* with the intent to indoctrinate or to
7 inculcate *or transform* in the mind of any pupil *or teacher* a
8 preference for communism, *socialism, humanism, or*
9 *homosexuality.*

10 In prohibiting the advocacy or teaching of communism,
11 *socialism, humanism, or homosexuality* with the intent of
12 indoctrinating or inculcating, *or transforming* a preference in the
13 mind of any pupil for such doctrine, the Legislature does not
14 intend to prevent the teaching of the facts about communism,
15 *socialism, humanism, or homosexuality.* Rather, the Legislature
16 intends to prevent the advocacy of, or inculcation and
17 indoctrination into, communism, *socialism, humanism, or*
18 *homosexuality* as ~~is hereinafter~~ *defined in this section*, for the
19 purpose of undermining patriotism for, and the belief in, the
20 government *and the Constitution* of the United States and of this
21 state *or undermining a belief in heterosexuality.*

22 For the purposes of this section, communism is a political
23 theory that the presently existing form of government of the
24 United States or of this state should be changed, by force,
25 violence, or other unconstitutional means, to a totalitarian
26 dictatorship which is based on the principles of communism as
27 expounded by Marx, Lenin, and Stalin.

28 *For the purposes of this section, socialism is a political theory*
29 *that the presently existing form of government in the United*
30 *States or of this state should be changed, by force, violence, or*
31 *other unconstitutional means, to a global system of society that*
32 *will replace capitalism, which is based upon the common*
33 *ownership and democratic control of the means and instruments*
34 *for producing and distributing wealth by and in the interest, or*
35 *common good, of the whole community.*

36 *For purposes of this section, humanism is a political theory*
37 *that the presently existing form of government in the United*
38 *States or of this state should be changed, by force, violence, or*

1 *other unconstitutional means, to a humanist society, that shares*
2 *the same worldview in regards to world order, government,*
3 *oppression and moral values which are based on a set of ideals*
4 *set up to meet particular personal and social needs for the*
5 *common good.*

6 *For the purposes of this section, homosexuality is*
7 *characterized by a tendency to direct sexual desire toward*
8 *another individual of the same sex or to direct erotic activity with*
9 *another individual of the same sex.*

10 ~~SECTION 1. Section 51556 is added to the Education Code,~~
11 ~~to read:~~

12 ~~51556. The promotion of homosexuality in public education~~
13 ~~is prohibited.~~